

1 Ryan Thomas (SBN 230491)
2 Roy N. Johnston (SBN 185409)
JOHNSTON | THOMAS, Attorneys at Law
1400 N. Dutton Avenue, Suite 21
Santa Rosa, CA 95401
Telephone: (707) 545-6542
Facsimile: (707) 545-1522

5 Philip W. Boesch, Jr. (SBN 60608)
6 Benjamin C. Johnson (SBN 218518)
THE BOESCH LAW GROUP
225 Santa Monica Boulevard, 11th Floor
7 Santa Monica, CA 90401
Telephone: (310) 578-7880
8 Facsimile: (310) 578-7898

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

11 || ALLAN D. GRUSHKIN,

Plaintiff,

V.

1
15 SECURITY NATIONAL PROPERTIES
HOLDING COMPANY, LLC, and Does 1-100,
inclusive,

Defendants.

CASE NO.: 3:13-cv-05457-MMC

**STIPULATION AND PROPOSED ORDER
TO CONTINUE HEARING DATE FOR
THE MOTION TO VACATE JUDGMENT
AND TO DISMISS THE CASE FOR LACK
OF SUBJECT MATTER JURISDICTION**

Date Action Filed: November 25, 2013
Hearing Date: November 20, 2015
Time: 9:00 a.m.
Dept.: 7

20 Plaintiff ALLAN D. GRUSHKIN (“Plaintiff”), on the one hand, and Defendant SECURITY
21 NATIONAL PROPERTIES HOLDING COMPANY, LLC (“Defendant”) (collectively, the
22 “Parties”), on the other hand, through their respective counsel, hereby stipulate and agree as
23 follows:

On May, 28, 2015, upon stipulation of the Parties, the Court entered judgment in favor of Plaintiff against Defendant in the sum of \$1,737,420 (“Judgment”);

²⁶ The Court issued its corrected Judgment on July 17, 2015;

27 WHEREAS, on October 2, 2015, Defendant filed a Motion to Vacate Judgment and to
28 Dismiss the Case for Lack of Subject Matter Jurisdiction (“Motion”);

1 WHEREAS, the Motion is presently set for hearing on November 20, 2015. Plaintiff's
2 opposition to the Motion is presently due on October 16, 2015, and Defendant's Reply is due
3 October 23, 2015;

4 WHEREAS, due to Plaintiff's counsel's pre-planned family vacation from October 15
5 through 23, 2015; and a trial set in the Sonoma County Superior Court of California beginning on
6 November 20, 2015;

7 WHEREAS, Plaintiff and Defendant met and conferred regarding the date of the hearing for
8 the Motion, and the briefing scheduled leading up to it;

9 NOW, THEREFORE, Plaintiff and Defendant have stipulated and agreed as follows to the
10 hearing date on the Motion and the briefing schedule leading up to it:

11

12

STIPULATION

13 1. The hearing date on the Motion shall be continued to December 4, 2015, or the first
14 available date thereafter, as the Court's schedule will allow;
15 2. Plaintiff's Opposition to the Motion shall be due October 30, 2015;
16 3. Defendant's Reply shall be due November 6, 2015; and
17 4. _____
18 _____
19 _____.

20 DATED: October 9, 2015

By: /s/ Ryan F. Thomas
RYAN F. THOMAS
JOHNSTON THOMAS, Attorneys at law
Attorneys for Plaintiff
ALLAN D. GRUSHKIN

23 DATED: October 9, 2015

24 By: /s/ Benjamin C. Johnson
BENJAMIN C. JOHNSON
THE BOESCH LAW GROUP
Attorneys for Defendant
SECURITY NATIONAL PROPERTIES HOLDING
COMPANY, LLC

27
28 *Filer's Attestation: Pursuant to Civil Local Rule 5-1 (i)(3) regarding signatures, Ryan F.
Thomas hereby attests that concurrence in the filing of this document has been obtained*

1 The parties' Joint Stipulation to Continue the Hearing Date for the Motion to Vacate
2 Judgment and to Dismiss the Case for Lack of Subject Matter Jurisdiction is approved and the
3 hearing is set for December 4, 2015, at 9:00 a.m.
4 _____
5 _____
6 _____.
7
8

9 **IT IS SO ORDERED.**
10
11

12 DATED: Oct. 13, 2015


MAXINE M. CHESNEY
United States District Judge

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28